

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label designation "Prophylactics" was false and misleading as applied to an article containing holes.

**DISPOSITION:** January 27, 1950. Default decree of condemnation and destruction.

## **DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS**

### **DRUGS FOR HUMAN USE\***

**3030. Misbranding of Atomic Botanical Laxative Compound. U. S. v. 117 Bottles, etc.** (F. D. C. No. 28475. Sample No. 53797-K.)

**LIBEL FILED:** December 12, 1949, Northern District of Alabama.

**ALLEGED SHIPMENT:** The drug was shipped on or about September 26, 1949, by the General Products Laboratories, from Columbus, Ohio, and a number of booklets were shipped on or about September 27, 1949, by Atomic Distributors, Inc., from Miami, Fla.

**PRODUCT:** 117 16-ounce bottles of *Atomic Botanical Laxative Compound* at Birmingham, Ala., together with a number of booklets entitled "This Free Booklet Contains Important News." Analysis showed that the product consisted essentially of extracts of plant drugs, including laxative plant drugs.

**LABEL, IN PART:** "Atomic Botanical Laxative Compound Internal Medicine  
\* \* \* Atomic Distributors, Inc. Columbus, Ohio."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the word "Atomic" appearing on the label of the article and certain statements in the booklet were false and misleading. The word and the statements represented and suggested that the article possessed atomic energy, and that a laxative would be effective in promoting health and relieving coated tongue, bad breath, loss of appetite and energy, sleeplessness, nervousness, headaches, sallow complexion, pimples, blackheads, indigestion, and many other such serious conditions. The article did not possess atomic energy, and a laxative is not effective in promoting health and relieving the diseases and conditions stated.

**DISPOSITION:** January 13, 1950. Default decree of condemnation and destruction.

**3031. Misbranding of Harmon's Compound. U. S. v. 131 Bottles \* \* \*.** (F. D. C. No. 27271. Sample No. 1440-K.)

**LIBEL FILED:** May 26, 1949, Middle District of North Carolina; libel amended on or about October 21, 1949.

**ALLEGED SHIPMENT:** On or about April 6, 1949, from Cincinnati, Ohio.

**PRODUCT:** 131 12-ounce bottles of *Harmon's Compound* at Winston-Salem, N. C., in possession of the Standard Sales Co., together with a number of circulars entitled "Here It Is—Harmon's Compound," which were printed locally for the dealer and displayed on the sales counter near the product.

Analysis showed that the product consisted essentially of epsom salt, sodium phosphate, and water, with small proportions of iron salts and flavoring materials.

---

\*See also No. 3029.